

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

ENCAP LLC,

Plaintiff,

v.

Case No. 11-C-685

THE SCOTTS COMPANY LLC,

Defendant.

ORDER GRANTING THE PARTIES' JOINT CIVIL L.R. 7(h) EXPEDITED NON-DISPOSITIVE MOTION TO EXTEND BRIEFING DEADLINES AND HOLD IN ABEYANCE ALL FURTHER ACTIVITY PENDING RESOLUTION OF SCOTTS' MOTIONS TO DISMISS AND STAY

Upon consideration of the parties' Joint Civil L.R. 7(h) Expedited Non-Dispositive Motion to Extend Briefing Deadlines and Hold in Abeyance All Further Activity Pending Resolution of Scotts' Motions to Dismiss and Stay, the motion is GRANTED.

The timeframe in which Plaintiff Encap, LLC ("Encap") may file memoranda in opposition to the motions to dismiss and stay (ECF Nos. 12 and 14) is extended by 21 days, up through and including April 26, 2012. The timeframe in which Defendants, The Scotts Company LLC, The Scotts Miracle-Gro Company and OMS Investments, Inc. (collectively "Scotts") may file replies to Encap's memoranda opposing the motions is extended by 10 days, up through and including May 24, 2012. The Court holds in abeyance all further activity in this matter until it resolves the pending motions to dismiss and stay.

Dated this 5th day of April, 2012.

s/ William C. Griesbach
William C. Griesbach
United States District Judge